

**State of Minnesota**

County

**District Court**

Judicial District: \_\_\_\_\_

Court File Number: \_\_\_\_\_

Case Type: \_\_\_\_\_

☐ In Re the Marriage of:

\_\_\_\_\_

Petitioner

and

\_\_\_\_\_

Respondent

\_\_\_\_\_

Intervenor

**Notice of Motion and Motion  
To Modify Child Support****Notice****TO: Other Party:**

First

Middle

Last

Street Address

Apt. No.

City

State

Zip

**County Attorney's Office:**

Name of County Attorney

Street Address

City

State

Zip

PLEASE TAKE NOTICE that the undersigned will bring a motion before the Honorable \_\_\_\_\_, on \_\_\_\_\_

(Name of Child Support Magistrate, Judge or Referee)

(Date: Month, Day, Year)

at \_\_\_\_\_ o'clock \_\_\_\_\_ at the \_\_\_\_\_ County Courthouse

(Time)

(a.m./p.m.)

(Name of building where hearing to be held)

or Government Center located at \_\_\_\_\_ in the city of \_\_\_\_\_

(Street address where hearing to be held)

\_\_\_\_\_, Minnesota, (check the public calendar at the hearing location for \_\_\_\_\_

(City where hearing to be held)

the room number), and will ask the court to modify the existing child support order as requested in the following motion.

## Motion

I request that the court modify the support order dated \_\_\_\_\_  
(Date of existing support order)

by ordering the following (*check all that apply*):

- |  |  |
|--|--|
| <input type="checkbox"/> Increasing basic child support                          | <input type="checkbox"/> Decreasing basic child support  |
| <input type="checkbox"/> Increasing medical support                              | <input type="checkbox"/> Decreasing medical support      |
| <input type="checkbox"/> Increasing child care support                           | <input type="checkbox"/> Decreasing child care support   |
| <input type="checkbox"/> Increasing arrearage payment                            | <input type="checkbox"/> Decreasing arrearage payment    |
| <input type="checkbox"/> Establishing medical support                            | <input type="checkbox"/> Establishing child care support |
| <input type="checkbox"/> Changing other medical terms ( <i>describe</i> ): _____ |  |
| <input type="checkbox"/> Other ( <i>describe</i> ): _____                        |  |

The facts upon which I base my request are set forth in the attached Affidavit in Support of Motion to Modify Child Support.

## Notice of Rights to Other Party

- You have a right to a hearing, if a hearing is not already scheduled.
- You have the right to object or respond to the changes I am requesting.
- If you decide to respond or object to this motion, a packet entitled “Response to Motion to Modify Child Support” is available from court administration.
- If you choose to respond, a written response or counter motion, along with your financial affidavit for child support, must be served upon all parties **at least 14 days before any scheduled hearing**. A counter motion is where you can raise **new** child support issues, in addition to responding to the issues in this motion.
- You must file your written response or counter motion, financial affidavit for child support, and supporting documents **at least 5 days before any scheduled hearing**.
- The court may, in its discretion, choose not to consider any documents you file with the court if they are not filed on time.

## Settlement

This matter may be settled without a court hearing if all parties, including the county attorney, reach an agreement. To discuss a possible settlement, contact the following person at the phone number listed: \_\_\_\_\_ at

(Name of person to contact to discuss settlement)

(\_\_\_\_\_) \_\_\_\_\_  
(Phone number of person to contact)

### **Acknowledgment by Party Making Motion:**

- a. I am not serving or filing this document for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation.
- b. The claims, defenses, and other legal contentions therein are warranted by existing law or by a nonfrivolous argument for the extension, modification, or reversal of existing law or the establishment of new law.
- c. The allegations and other factual contentions have evidentiary support or, if specifically so identified, are likely to have evidentiary support after a reasonable opportunity for further investigation or discovery.
- d. The denials of factual contentions are warranted on the evidence or, if specifically so identified, are reasonably based on a lack of information or belief.
- e. The court may impose an appropriate sanction upon the attorneys, law firms, or parties that violate the above stated representations to the court, or are responsible for the violation.
- f. I understand that the existing order remains in full force and effect and I must continue to comply with that order until a new order is issued.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature

Print Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Telephone: (\_\_\_\_\_) \_\_\_\_\_

E-mail address: \_\_\_\_\_

Attorney for: \_\_\_\_\_